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--40. A malleable surgical clamp as defined in Claim 37, wherein the malleable hollow shaft comprises a plurality of alternating interconnected ball segments and socket segments.--

--41. A malleable surgical clamp as defined in Claim 37, wherein the malleable hollow shaft comprises a multi-lumen thermoplastic polymer tubing, the elongate actuator being disposed in a first lumen of the multi-lumen tubing and the hollow shaft further including a malleable rod disposed in a second lumen of the multi-lumen tubing.--

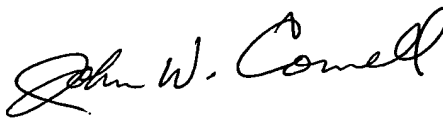
--42. A malleable surgical clamp as defined in Claim 37, wherein the hollow malleable shaft is capable of being placed in different curvatures.--

#### REMARKS

This Application has been re-filed to obtain further consideration of amended claims by the primary Examiner. More particularly, the allowed claims of parent application Serial No. 08/936,394 filed September 25, 1997, include means plus function terminology. New Claims 37-42 have been presented which do not contain means plus function terminology.

Early and favorable action is respectfully requested.

Respectfully submitted,



John W. Cornell, Reg. No. 30,619  
D'Ancona & Pflaum, LLC  
111 E. Wacker Drive, Suite 2800  
Chicago, Illinois 60601  
Tel: (312)602-2641  
Attorneys for Applicants